

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA

v.

ALMAROOF YUSUF,
RAHEEM YUSUF,
KAYODE ADEGOKE,
CHIEMEKA IHEBOM, and
RODRIGUE PAYEN

No. 1:14-mj-26-SM

**ASSENTED-TO MOTION TO CONTINUE AND EXTEND INDICTMENT DEADLINE
30 DAYS, TO MAY 16, 2014, PURSUANT TO 18 U.S.C. § 3161(h)(8)(A)**

The United States of America, with the assent of the defendants, through defense counsel, respectfully requests a continuance and extension of the period within which to return an indictment in this matter for thirty (30) days to **May 16, 2014**, pursuant to 18 U.S.C. § 3161(h)(8)(A). As grounds for this motion, the government asserts the following:

1. The defendants were charged by Criminal Complaint. The Initial Appearances, pursuant to Fed. R. Crim. P. 5, were held on February 12, 2014.
2. One of the defendants, Kayode Adegoke, was indicted on April 16, 2014, US v Adegoke, 1:14-cr-050-PB, and therefore the indictment deadline as to him no longer applies.
3. The government and the remaining four defendants are presently discussing possible dispositions of this case by pre-indictment plea agreements, which the parties believe may be in their mutual interest. Under the terms of the Speedy Trial Act, this case must be indicted 30 days from the date of the initial appearance, plus any excludable time. See 18 U.S.C. § 3161(b).
3. It is the position of the parties that the ends of justice will be best served by this continuance in that it will allow the parties additional time in which to attempt to arrange pre-indictment dispositions of this matter, thereby conserving judicial, grand jury, defense and governmental resources. It is the position of the parties that the interests of justice served by the

requested continuance outweigh the interests of the defendants and the public in a speedy indictment.

4. The parties further request that the Court enter an order excluding the time period from the date of the initial appearance, February 12, 2014 through **May 16, 2014**, from the Speedy Trial Act calculations with respect to this matter.

5. Counsel for defendants Almaroof Yusuf, Raheem Yusuf, Chiemeka Ihebom and Rodrigue Payen assent to the relief sought in this Motion.

WHEREFORE, for the foregoing reasons, the undersigned respectfully requests that this Honorable Court:

- A. Grant a continuance of the period within which to return an indictment in this matter for 30 days to **May 16, 2014**, in the interests of justice; and,
- B. Exclude time from the Speedy Trial Act calculations as requested above.

Dated: April 17, 2014

Respectfully submitted,

John P. Kacavas
United States Attorney

By: /s/ Arnold H. Huftalen
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CERTIFICATE OF ASSENT & SERVICE

I certify that defendants Almaroof Yusuf, Raheem Yusuf, Chiemeka Ihebom and Rodrigue Payen, through defense counsel, assent to the relief sought, and that a copy of this Motion is being served upon all defense counsel via ECF filing notice this date, April 17, 2014.

/s/ Arnold H. Huftalen
Assistant U.S. Attorney